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Attorneys for Plaintiffs

and Third-Party Defendants

the SS Companies

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD.,  
a Japanese corporation,

Plaintiff,

vs.

QK HOTEL, LLC, a Hawai'i  
limited liability company;  
KG HOLDINGS, LLC, a Hawai'i  
limited liability company;  
FRANKLIN K. MUKAI,

) CIVIL NO. CV 04-00124  
) ACK/BMK  
)  
) CONSOLIDATED CASES  
)  
) **ERRATA RE EXHIBIT K-1**  
) **TO PLAINTIFFS AND**  
) **THIRD-PARTY DEFENDANTS**  
) **SPORTS SHINKO**  
) **COMPANIES'**  
) Hearing: *(caption cont'd on next page)*  
) DATE: February 12, 2007  
) TIME: 9:30 a.m.  
) JUDGE: Alan C. Kay

Defendants,	)	<b>MEMORANDUM IN</b>
	)	<b>OPPOSITION TO</b>
and	)	<b>DEFENDANTS KG</b>
	)	<b>HOLDINGS, LLC, QK HOTEL,</b>
FRANKLIN K. MUKAI,	)	<b>LLC, OR HOTEL, LLC,</b>
	)	<b>PUKALANI GOLF CLUB, LLC,</b>
Third-Party Plaintiff,	)	<b>KG MAUI DEVELOPMENT,</b>
	)	<b>LLC, MILILANI GOLF CLUB,</b>
	)	<b>LLC, KIAHUNA GOLF CLUB,</b>
vs.	)	<b>LLC AND KG KAUAI</b>
	)	<b>DEVELOPMENT, LLC'S</b>
SPORTS SHINKO (USA) CO.;	)	<b>MOTION TO DISMISS</b>
LTD., a Delaware corporation;	)	<b>CV. NOS. 04-00125 ACK-</b>
SPORTS SHINKO (HAWAII) CO.,	)	<b>BMK, 04-00126 ACK-BMK</b>
LTD., a Hawai'i corporation;	)	<b>AND 04-00128 ACK-BMK</b>
SPORTS SHINKO (MILILANI)	)	<b>FOR LACK OF SUBJECT</b>
CO., LTD., a Hawai'i corporation;	)	<b>MATTER JURISDICTION,</b>
SPORTS SHINKO (KAUAI) CO.,	)	<b>FILED NOVEMBER 16, 2006,</b>
LTD., a Hawai'i corporation;	)	<b>FILED ON January 25, 2007;</b>
SPORTS SHINKO (PUKALANI)	)	<b>EXHIBIT "K-1";</b>
CO., LTD., a Hawai'i corporation;	)	<b>CERTIFICATE OF SERVICE</b>
SPORTS SHINKO RESORT	)	
HOTEL CORPORATION, a	)	
Hawai'i corporation; SPORTS	)	
SHINKO (WAIKIKI)	)	
CORPORATION, a Hawai'i	)	
corporation; and OCEAN	)	
RESORT HOTEL CORPORATION,	)	
a Hawai'i corporation,	)	
	)	
Third-Party	)	
Defendants,	)	
	)	
and	)	
	)	
SPORTS SHINKO (HAWAII) CO.,	)	
LTD., a Hawai'i corporation;	)	
SPORTS SHINKO RESORT	)	

HOTEL CORPORATION, a  
Hawai`i corporation; and  
SPORTS SHINKO (WAIKIKI)  
CORPORATION, a Hawai`i  
corporation,

Third-Party Defendants/  
Counterclaimants,

vs.

QK HOTEL, LLC, a Hawai`i  
limited liability company;  
KG HOLDINGS, LLC, a Hawai`i  
limited liability company,  
FRANKLIN K. MUKAI,

Third-Party Counterclaim  
Defendants.

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SPORTS SHINKO (USA) CO.,  
LTD., a Delaware corporation,

Plaintiff,

vs.

PUKALANI GOLF CLUB, LLC,  
a Hawai`i limited liability  
company; KG MAUI  
DEVELOPMENT, LLC, a Hawai`i  
limited liability company; KG  
HOLDINGS, LLC, a Hawai`i  
limited liability company;  
FRANKLIN K. MUKAI,

CIVIL NO. CV 04-00125  
ACK/BMK

Defendants,  
  
and  
  
FRANKLIN K. MUKAI,  
  
Third-Party Plaintiff,

vs.

SPORTS SHINKO CO., LTD.,  
a Japan corporation; SPORTS  
SHINKO (HAWAII) CO., LTD.,  
a Hawai'i corporation; SPORTS  
SHINKO (MILILANI) CO., LTD.,  
a Hawai'i corporation; SPORTS  
SHINKO (KAUAI) CO., LTD.,  
a Hawai'i corporation; SPORTS  
SHINKO (PUKALANI) CO., LTD.,  
a Hawai'i corporation; SPORTS  
SHINKO RESORT HOTEL  
CORPORATION, a Hawai'i  
corporation; SPORTS SHINKO  
(WAIKIKI) CORPORATION,  
a Hawai'i corporation; and  
OCEAN RESORT HOTEL  
CORPORATION, a Hawai'i  
corporation,

Third-Party  
Defendants,

and



SPORTS SHINKO CO., LTD.,  
a Japan corporation; SPORTS  
SHINKO (HAWAII) CO., LTD.,  
a Hawai'i corporation; SPORTS  
SHINKO (PUKALANI) CO., LTD.,  
a Hawai'i corporation,

Third-Party Defendants/  
Counterclaimants,

vs.

PUKALANI GOLF CLUB, LLC,  
a Hawai'i limited liability  
company; KG MAUI  
DEVELOPMENT, LLC, a Hawai'i  
limited liability company; KG  
HOLDINGS, LLC, a Hawai'i  
limited liability company;  
FRANKLIN K. MUKAI,

Third-Party Counterclaim  
Defendants.

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SPORTS SHINKO (USA) CO.,  
LTD, a Delaware corporation,

Plaintiff,

vs.

KIAHUNA GOLF CLUB, LLC,  
a Hawai'i limited liability  
company; KG KAUAI

CIVIL NO. CV 04-00126  
ACK/BMK

DEVELOPMENT, LLC, a Hawai'i )  
 limited liability company; )  
 PUKALANI GOLF CLUB, LLC, a )  
 Hawai'i limited liability company; )  
 KG MAUI DEVELOPMENT, LLC, )  
 a Hawai'i limited liability )  
 company; MILILANI GOLF CLUB, )  
 LLC, a Hawai'i limited liability )  
 company; QK HOTEL, LLC, )  
 a Hawai'i limited liability )  
 company; OR HOTEL, LLC, )  
 a Hawai'i limited liability )  
 company, and KG HOLDINGS, )  
 LLC, a Hawai'i limited liability )  
 company, )

Defendants, )

and )

FRANKLIN K. MUKAI, )

Third-Party Plaintiff, )

vs. )

SPORTS SHINKO CO., LTD., )  
 a Japan corporation; SPORTS )  
 SHINKO (HAWAII) CO., LTD., )  
 a Hawai'i corporation; SPORTS )  
 SHINKO (MILILANI) CO., LTD., )  
 a Hawai'i corporation; SPORTS )  
 SHINKO (KAUAI) CO., LTD., )  
 a Hawai'i corporation; SPORTS )  
 SHINKO (PUKALANI) CO., LTD., )  
 a Hawai'i corporation; SPORTS )  
 SHINKO RESORT HOTEL )

CORPORATION, a Hawai`i  
corporation; SPORTS SHINKO  
(WAIKIKI) CORPORATION,  
a Hawai`i corporation; and  
OCEAN RESORT HOTEL  
CORPORATION, a Hawai`i  
corporation,

Third-Party  
Defendants,

and

SPORTS SHINKO (HAWAII) CO.,  
LTD., a Hawai`i corporation; and  
SPORTS SHINKO (KAUAI) CO.,  
LTD., a Hawai`i corporation,

Third-Party Defendants/  
Counterclaimants,

vs.

KIAHUNA GOLF CLUB, LLC,  
a Hawai`i, limited liability  
company; KG KAUAI  
DEVELOPMENT, LLC, a Hawai`i  
limited liability company;  
PUKALANI GOLF CLUB, LLC, a  
Hawai`i limited liability company;  
KG MAUI DEVELOPMENT, LLC,  
a Hawai`i limited liability  
company; MILILANI GOLF CLUB,  
LLC, a Hawai`i limited liability  
company; QK HOTEL, LLC, a  
Hawai`i limited liability company;  
OR HOTEL, LLC, a Hawai`i

limited liability company, and )  
KG HOLDINGS, LLC, )  
a Hawai'i limited liability )  
company, FRANKLIN K. MUKAI, )

Third-Party Counterclaim )  
Defendants. )

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SPORTS SHINKO CO., LTD., )  
a Japanese corporation, )

Plaintiff, )

vs. )

OR HOTEL, LLC, a Hawai'i )  
limited liability company; )  
KG HOLDINGS, LLC, a Hawai'i )  
limited liability company; )  
FRANKLIN K. MUKAI, )

Defendants, )

and )

FRANKLIN K. MUKAI, )

Third-Party Plaintiff, )

vs. )

SPORTS SHINKO (USA) CO., )  
LTD., a Delaware corporation; )  
SPORTS SHINKO (HAWAII) CO., )  
LTD., a Hawai'i corporation; )  
SPORTS SHINKO (MILILANI) )

CIVIL NO. CV 04-00127  
ACK/BMK



CO., LTD., a Hawai`i corporation; )  
 SPORTS SHINKO (KAUAI) CO., )  
 LTD., a Hawai`i corporation; )  
 SPORTS SHINKO (PUKALANI) )  
 CO., LTD., a Hawai`i corporation; )  
 SPORTS SHINKO RESORT )  
 HOTEL CORPORATION, a )  
 Hawai`i corporation; SPORTS )  
 SHINKO (WAIKIKI) )  
 CORPORATION, a Hawai`i )  
 corporation; and OCEAN )  
 RESORT HOTEL CORPORATION, )  
 a Hawai`i corporation, )

Third-Party )  
 Defendants, )

and )

SPORTS SHINKO (HAWAII) CO., )  
 LTD., a Hawai`i corporation; )  
 SPORTS SHINKO RESORT )  
 HOTEL CORPORATION, a )  
 Hawai`i corporation; and )  
 SPORTS SHINKO (WAIKIKI) )  
 CORPORATION, a Hawai`i )  
 corporation, )

Third-Party Defendants/ )  
 Counterclaimants, )

vs. )

OR HOTEL, LLC, a Hawai`i )  
 limited liability company; )  
 KG HOLDINGS, LLC, a Hawai`i )

limited liability company;  
FRANKLIN K. MUKAI,  
  
Third Party Counterclaim  
Defendants.

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SPORTS SHINKO (USA) CO.,  
LTD., a Delaware corporation,

Plaintiff,

vs.

MILILANI GOLF CLUB, LLC,  
a Hawai'i limited liability  
company; KG HOLDINGS, LLC,  
a Hawai'i limited liability  
company; FRANKLIN K. MUKAI,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

SPORTS SHINKO CO., LTD.,  
a Japan corporation; SPORTS  
SHINKO (HAWAII) CO., LTD.,  
a Hawai'i corporation; SPORTS  
SHINKO (MILILANI) CO., LTD.,  
a Hawai'i corporation; SPORTS  
SHINKO (KAUAI) CO., LTD.,

CIVIL NO. CV 04-00128  
ACK/BMK

a Hawai'i corporation; SPORTS  
SHINKO (PUKALANI) CO., LTD.,  
a Hawai'i corporation; SPORTS  
SHINKO RESORT HOTEL  
CORPORATION, a Hawai'i  
corporation; SPORTS SHINKO  
(WAIKIKI) CORPORATION,  
a Hawai'i corporation; and  
OCEAN RESORT HOTEL  
CORPORATION, a Hawai'i  
corporation,

Third-Party  
Defendants,

and

SPORTS SHINKO (HAWAII) CO.,  
LTD., a Hawaii corporation; and  
SPORTS SHINKO (MILILANI)  
CO., LTD., a Hawai'i corporation,

Third-Party Defendants/  
Counterclaimants,

vs.

MILILANI GOLF CLUB, LLC,  
a Hawai'i limited liability  
company; KG HOLDINGS, LLC,  
a Hawai'i limited liability  
company; FRANKLIN K. MUKAI,

Third-Party Counterclaim  
Defendants.

**ERRATA RE EXHIBIT K-1 TO PLAINTIFFS AND THIRD-PARTY  
DEFENDANTS SPORTS SHINKO COMPANIES' MEMORANDUM  
IN OPPOSITION TO DEFENDANTS KG HOLDINGS, LLC,  
QK HOTEL, LLC, OR HOTEL, LLC, PUKALANI GOLF CLUB, LLC,  
KG MAUI DEVELOPMENT, LLC, MILILANI GOLF CLUB, LLC,  
KIAHUNA GOLF CLUB, LLC AND KG KAUAI DEVELOPMENT,  
LLC'S MOTION TO DISMISS CV. NOS. 04-00125 ACK-BMK,  
04-00126 ACK-BMK AND 04-00128 ACK-BMK FOR LACK OF  
SUBJECT MATTER JURISDICTION, FILED  
NOVEMBER 16, 2006, FILED ON JANUARY 25, 2007**

Plaintiffs and Third-Party Defendants SPORTS SHINKO CO., LTD., SPORTS SHINKO (USA) CO., LTD., SPORTS SHINKO (HAWAII) CO., LTD., SPORTS SHINKO (MILILANI) CO., LTD., SPORTS SHINKO (KAUAI) CO., LTD., SPORTS SHINKO (PUKALANI) CO., LTD., SPORTS SHINKO RESORT HOTEL CORPORATION, SPORTS SHINKO (WAIKIKI) CORPORATION, and OCEAN RESORT HOTEL CORPORATION (collectively, the "SS Companies"), by and through their attorneys, Alston Hunt Floyd & Ing, hereby submit an Errata regarding Exhibit "K-1" to their Memorandum in Opposition to Defendants KG Holdings, LLC, QK Hotel, LLC, OR Hotel, LLC, Pukalani Golf Club, LLC, KG Maui Development, LLC, Mililani Golf Club, LLC, Kiahuna Golf Club, LLC and KG Kauai Development,

LLC's Motion to Dismiss CV. Nos. 04-00125 ACK-BMK, 04-00126 ACK-BMK and 04-00128 ACK-BMK for Lack of Subject Matter Jurisdiction, Filed November 16, 2006, filed on January 25, 2007, as follows:

Pages 9 and 10 of Exhibit "K-1" were inadvertently submitted and are not part of Exhibit "K-1".

A corrected Exhibit "K-1" is attached hereto.

DATED: Honolulu, Hawai'i, January 26, 2007.

/s/ Glenn T. Melchinger  
PAUL ALSTON  
GLENN T. MELCHINGER

Attorneys for Plaintiffs and  
Third-Party Defendants the  
SS Companies